



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

May 25, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

A Gordon Player
Antelope Valley Ranch
HC 60 Box 257
Moore ID 83255

Re: Draft Guidance Document for Distribution of Alder Creek Water Rights and Flows

Dear Mr Player,

Enclosed is a draft document providing guidance to the water district concerning the distribution of water rights and flows on Alder Creek. A copy of this document has been sent to those individuals listed on the attached mailing list. Please note that this is currently a draft document. We would like to provide some time for users to comment before finalizing the document.

Water users or interested parties may submit comments to IDWR on or before June 4, 1999. We prefer written comments but we will also accept verbal comments or inquiries. Verbal comments may be more difficult to translate or incorporate into a final guidance document. All comments should be addressed to Tim Luke at the above address, or by E-mail at tluke@idwr.state.id.us, or by calling 208-327-7864.

Sincerely,

Tim Luke
Water Distribution Section

Cc: Mailing List

Enclosure

C:\Word_Docs\WtrDistricts\AldrCkCovLet.doc



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DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Delores I Rosenkrance
Doug G Rosenkrance
Rt 1 Box 24
Mackay ID 83251

Re: Draft Guidance Document for Distribution of Alder Creek Water Rights and Flows

Dear Mr and Mrs Rosenkrance,

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May 25, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Shane Rosenkrance
Mimi Rosenkrance
Rt 1 Box 25A
Mackay ID 83251

Re: Draft Guidance Document for Distribution of Alder Creek Water Rights and Flows

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DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

May 25, 1999

Doug Rosenkrance, Watermaster
Water District No 34
PO Box 53
Mackay ID 83251

Re: Draft Guidance Document for Distribution of Alder Creek Water Rights and Flows

Dear Water District Users;

Enclosed is a draft document providing guidance to the water district concerning the distribution of water rights and flows on Alder Creek. A copy of this document has been sent to those individuals listed on the attached mailing list. Please note that this is currently a draft document. We would like to provide some time for users to comment before finalizing the document.

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May 25, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

J B Gould
Stephanie Gould
PO Box 6111
Ketchum ID 83340

Re: Draft Guidance Document for Distribution of Alder Creek Water Rights and Flows

Dear Mr and Mrs Gould;

Enclosed is a draft document providing guidance to the water district concerning the distribution of water rights and flows on Alder Creek. A copy of this document has been sent to those individuals listed on the attached mailing list. Please note that this is currently a draft document. We would like to provide some time for users to comment before finalizing the document.

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May 25, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

James C Lambert
Rt 1 Box 20
Mackay ID 83251

Re: Draft Guidance Document for Distribution of Alder Creek Water Rights and Flows

Dear Mr Lambert;

Enclosed is a draft document providing guidance to the water district concerning the distribution of water rights and flows on Alder Creek. A copy of this document has been sent to those individuals listed on the attached mailing list. Please note that this is currently a draft document. We would like to provide some time for users to comment before finalizing the document.

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Mailing List

Doug Rosenkrance, Watermaster
Water District 34
PO Box 53
Mackay ID 83251

Shane Rosenkrance
Mimi Rosenkrance
Rt 1 Box 25A
Mackay ID 83251

Delores I Rosenkrance
Doug Rosenkrance
Rt 1 Box 24
Mackay ID 83251

A Gordon Player
Antelope Valley Ranch
HC 60 Box 257
Moore ID 83255

Matea Mc Cray Partners
1097 Dickson
Idaho Falls ID 83402

James C Lambert
Rt 1 Box 20
Mackay ID 83251

J B Gould
Stephanie Gould
PO Box 6111
Ketchum ID 83340

IDAHO DEPARTMENT OF WATER RESOURCES
GUIDANCE FOR DISTRIBUTION OF ALDER CREEK
WATER RIGHTS AND FLOWS, WATER DISTRICT 34

DESCRIPTION OF ALDER CREEK AND ALDER CREEK WATER RIGHTS

Attached to this document is a listing of Alder Creek water rights. Also attached is a map showing the location of lands owned by Alder Creek right holders. JB Gould now owns the lands shown as being owned by Carol Palmer. There are seven rights on the creek that share a priority date of September 30, 1882, which is the most senior priority date on the creek. The 1882 rights are all diverted from Alder Creek upstream from its confluence with the Darlington Ditch.

There are four other Alder Creek rights with junior priority dates ranging between 1896 and 1928. These latter four rights are all diverted into the Darlington Ditch where the creek intersects the ditch, and are then re-diverted at each right holder's turnout on the ditch. One of these junior rights, 34-00333, owned by James Lambert, is diverted in exchange with water from the Big Lost River. Lambert's turnout from the Darlington Ditch is upstream from the intersection of Alder Creek and the Darlington Ditch. Therefore, Lambert's Alder Creek right is delivered by diverting water from the Big Lost River at the head of the Darlington Ditch in exchange for an equal amount of water diverted in to the ditch from Alder Creek downstream of the Lambert ditch turnout.

Alder Creek flows directly into the Darlington Ditch. A spill structure with wood stop logs on the other side of the ditch is used for directing flows into the creek below the ditch. From the Darlington Ditch, the creek flows eight or nine-tenths of a mile before merging and commingling with water in the Vanous Ditch. The Vanous Ditch takes out from the Big Lost River about one and one-half miles northwest of its confluence with Alder Creek. A spring source that is drained by a small natural channel also commingles with the Vanous Ditch upstream of the point where Alder Creek intersects the Vanous. Two water rights are decreed from this spring source. Vivian and Melvin Ellwein, and the Houston Grazing Association own these rights. Both rights are re-diverted about two-tenths of a mile below the Vanous-Alder Creek confluence. The Big Lost River is located about four-tenths of a mile downstream of the Vanous-Alder Creek confluence.

The confluence of Alder Creek and the Big Lost River is located nearly two and one-half miles above Leslie. The river reach between the USGS gage below Mackay Reservoir and Leslie is either a gaining or a losing reach depending on river flow and ground water conditions. Losses in this reach are generally much less than losses in downstream reaches.

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1. DISTRIBUTION OF WATER

A. Determining Water Right Priority Cuts:

The watermaster has responsibility for determining which water rights are in priority to receive water. In making this determination, the watermaster shall use the Idaho Department of Water Resources (IDWR)/Water District 34 water right accounting program. This is a computer program developed and supported by IDWR to determine water right priority cuts, river reach gains and losses, and distribution of both natural flow and storage water below Mackay Reservoir.

Alder Creek is considered a tributary of the Big Lost River and is to be administered in priority with the Big Lost River unless a futile call determination has been made.

B. Delivery of Alder Creek Water Rights to Creek Diversions and Darlington Ditch:

The watermaster shall deliver Alder Creek rights according to dates of priority as specified on the attached listing of Alder Creek rights. The watermaster shall only deliver rights which are called for and that can be delivered according to priority. All water right holders on the creek, and those Alder Creek right holders who re-divert water from the Darlington Ditch must call for water in accordance with Rule 040.01b of the Water District 34 Rules, which states:

All water deliveries must be called for by the water user at least forty-eight (48) hours in advance of the actual water delivery. Water which can be delivered by the watermaster in less than forty-eight (48) hours may be used by the water user.

Holders of Alder Creek rights who re-divert from the Darlington Ditch must also inform the watermaster as to when the rights should not be delivered to the Darlington Ditch at any time when those priority rights are on. These same right holders may also inform the Big Lost Irrigation District (BLRID) ditch rider regarding their intent to stop delivery while their rights are on, and the ditch rider may request that the watermaster stop delivery of the rights to the Darlington Ditch.

In delivering any Alder Creek water to right holders on the Darlington Ditch, the watermaster shall have responsibility for determining the amount of water that is delivered to the ditch. The watermaster must coordinate this delivery with the appropriate BLRID ditch rider. The watermaster is responsible for determining the amount of water entering the Darlington Ditch from the creek. It is the responsibility of the BLRID to deliver this water with appropriate losses to the individual right holders' point of re-diversion on the ditch. However, the watermaster has the authority to oversee delivery at points of re-diversion on the ditch and may make his own measurements at such points for the purpose of assuring that the Alder Creek water is being properly distributed. This oversight should be invoked at any time Alder Creek right holders, the BLRID or other interested parties raise concerns or questions.

IDWR and the water district recognize that storage water and/or Big Lost River rights may also be delivered by the BLRID at the Alder Creek right holders points of re-diversion on the Darlington Ditch. Additionally, the BLRID may charge certain transmission losses or rotation credits to individual users or turnouts. The water district has no authority over how the BLRID records or credits deliveries to its individual shareholders, nor does the water district have authority over how the BLRID manages its' accounts or assessments. As a result, the Water District 34 watermaster does not have full responsibility to address all questions and concerns relative to individual ditch turnouts and credits assigned by the BLRID to individual BLRID share holders. The watermaster and BLRID therefore must cooperate with each other and share information in order to address questions concerning individual water delivery credits.

Alder Creek water rights will not be rotated for credit with storage water from the Mackay Reservoir. Also, the watermaster will not deliver water to any user with an unclaimed/unrecorded domestic or stock water use until the use is claimed and adjudicated.

C. Delivery of Water when Supply is Short:

Rule 20.04 of the Water District 34 Rules provides some guidance regarding futile call for delivery of surface water. It states as follows:

When curtailment of junior upstream surface water rights will not make water available for delivery and use to senior downstream surface water rights, without reasonable waste as determined by the director, the watermaster will not curtail the junior rights in a futile effort to deliver water to the senior rights. The director may consult the Water District 34 advisory board, the Big Lost Irrigation District and other impacted water users when determining whether attempting to deliver senior downstream surface water rights would be futile.

There may be several types of futile call scenarios regarding Alder Creek.

1. Futile call regarding rights above the Alder Creek-Darlington Ditch confluence:

All of the rights on the creek above the confluence with the Darlington Ditch are senior to the rights that are re-diverted from the Darlington Ditch. Obviously, water failing to reach the ditch when upstream rights are either on or off will not fill rights on the ditch.

If Alder Creek fails to reach the Darlington Ditch, then the 1882 priority rights upstream of the ditch may be filled as follows:

- a) Fill the 1882 rights on a pro-rata basis (the rights may be filled even if they are junior to the last priority right filled on the main river as determined by the IDWR water right accounting program).
- b) If there is an amount of water that exceeds the 1882 rights, then the extra water may be divided among the right holders on a pro-rata basis.

2. Futile call regarding junior priority rights from Alder Creek that are re-diverted on the Darlington Ditch:

The need to determine a futile call under this scenario should be triggered by a call from the holder of a valid junior priority water right. Determination of a futile call and delivery of water to junior priority Alder Creek rights that are re-diverted from the Darlington Ditch must be based on the watermaster's measurement of Alder Creek at the Alder Creek-Darlington Ditch confluence and the Alder Creek-Vanous Ditch confluence. Measurement options at these locations are discussed in Section 2 of this document. The watermaster must also follow the guideline provided under Rule 20.04 of the Water District 34 Rules.

The watermaster will consider that any flow reaching the Big Lost River will be adequate to help other rights unless the Big Lost River will not reach the most immediate downstream diversions.

- A. Alder Creek Reaches Darlington Ditch but does not Reach Vanous Ditch/Big Lost River:

If the watermaster's measurements of Alder Creek between the Darlington Ditch and the Vanous Ditch show that no flow reaches the river, then the watermaster may deliver junior priority rights from Alder Creek as follows:

- a) Fill all the 1882 priority rights on Alder Creek upstream of the Darlington as called by the right holders.
- b) Fill all the junior priority Alder Creek rights on the Darlington Ditch to the extent possible according to priority.
- c) If excess water exists, that water may be turned into the ditch and credited as a gain (or reduced loss) to the Darlington Ditch (no adjustment to heading of Darlington Ditch required).

Upon making a futile call determination, the watermaster shall notify the BLRID that such a determination has been made and that water from Alder Creek can be delivered to Alder Creek rights on the Darlington Ditch. The appropriate BLRID ditch rider will then notify the Alder Creek right holders on the Darlington Ditch that this water can be delivered. The right holders can either accept or refuse delivery. If delivery is refused or the water can not be delivered to these Alder Creek right holders for any reason, the BLRID can use the water for the general benefit of BLRID shareholders on the Darlington Ditch, including offsetting ditch conveyance and transmission losses.

- B. Alder Creek Reaches Darlington Ditch and Vanous Ditch/Big Lost River, but Loss Between Darlington and Vanous Ditches is Significant:

If the watermaster's measurements of the creek between the Darlington and Vanous Ditches show a significant loss, then the watermaster must seek approval from the director of IDWR to turn the flow of Alder Creek into the Darlington Ditch and

account for that water as being delivered from the Big Lost River. In seeking this approval, the watermaster's measurements must show a loss greater than 50 percent. In considering this request, the director will that the diversion to the Darlington Ditch from the Big Lost River be reduced by the amount of flow from Alder Creek that is turned into the Darlington Ditch. Junior priority Alder Creek rights will not be delivered unless those priority dates are on as determined by the IDWR water rights accounting program.

D. Delivery of Excess Water (Excess Water and Alder Creek Reaches Vanous Ditch/Big Lost River):

During times of high runoff or when there is excess flow in the creek, the watermaster may deliver some excess flow into the Darlington Ditch if there are benefits to doing so. This practice should generally be limited to times when all priority rights in the water district can be delivered. In addition, the watermaster must implement the following procedures:

- a) Fill Alder Creek rights in priority as determined for the Big Lost River rights.
- b) Water in excess of that needed to fill priority rights from Alder Creek is credited as Big Lost River water and Darlington Ditch diversion heading is reduced accordingly.

E. Record Keeping Procedures:

The watermaster shall have responsibility for keeping records that show water has been properly distributed to all right holders on Alder Creek. The watermaster shall keep a logbook or sheet of all measurements and deliveries made on the creek. Deliveries to individual points of diversion, including deliveries to rights diverting from the Darlington Ditch, shall also be entered into the IDWR water right accounting program. Such records should include the following:

- a) Measured daily deliveries at each point of diversion from Alder Creek.
- b) Total daily deliveries of Alder Creek to the Darlington Ditch, sorted by individual right.
- c) Individual measurements of the creek at the confluence with the Darlington Ditch, and the confluence with the Vanous Ditch.

The watermaster is encouraged to maintain a file or record of all discharge measurements, calculations and field notes pertinent to delivery of water on Alder Creek. The watermaster is further encouraged to maintain a record of all futile call requests and responses.

F. IDWR Assistance:

IDWR staff will provide in-field training and assistance in implementing the procedures outlined under this document. This training and assistance will extend to the watermaster, deputy watermasters, BLRID ditch riders and/or manager, and other interested water right holders.

G. Recommended Assignment of Water District Staff Duties

IDWR recognizes that many state water district watermasters have some proprietary interest in water rights or have family members that own water rights within the district that he/she has jurisdiction. In some cases, it may be helpful if the watermaster hires an assistant to distribute water to diversions that are owned by the watermaster or his/her immediate family members. Sometimes the choice of an assistant may also be unacceptable to some users. The decision to hire an assistant in this case shall be made by the watermaster. If the watermaster's decision is not agreeable to one or more users, then the users or parties on the creek may meet and provide suggestions. The users and the watermaster should work together to resolve assignment duties. An assistant, if hired, should be authorized to approach IDWR for instruction.

2. MEASURING DEVICES AND CONTROLLING WORKS

Each individual diversion from Alder Creek must have head works that can be controlled by the watermaster or the watermaster's assistants. Such head works must be capable of being locked by the water district. Each individual diversion must also have a suitable measuring device that is approved by the water district or IDWR. Measuring devices and controlling works must be installed prior to the irrigation season. If high stream flow conditions, snow or poor weather makes this installation impractical, then the users must install these devices before water is delivered under a call to the watermaster, but no later than June 15, 1999. The Alder Creek-Darlington Ditch confluence can be excluded from both of these requirements provided that the watermaster has a means to measure the flow of Alder Creek and can control the amount of water distributed to the ditch or turned down to Alder Creek below the ditch. Guidance for measuring and controlling flows at this confluence is provided below.

3. MEASUREMENT AND CONTROL OF WATER AT THE ALDER CREEK-DARLINGTON DITCH CONFLUENCE

A number of different methods may be implemented for measuring the flow of Alder Creek at its junction with the Darlington Ditch. Water District 34 is responsible for the installation and costs of measuring devices. IDWR recommends separate measurement of the creek above the Darlington Ditch for determining the natural flow of the creek and the amount of water that can be delivered to the ditch and/or bypassed to the lower portion of the creek. Regulating the delivery or bypass of Alder Creek at the confluence can be accomplished by using the spill structure located directly across the ditch from the creek.

Inflow to the Darlington Ditch from Alder Creek may best be measured by installing a temporary weir or flume in the channel of Alder Creek a short distance upstream of the ditch. Care should be taken installing the device too close to the ditch since higher flows or water levels in the ditch could raise the water level at the mouth of the creek and submerge the weir

or flume. The measuring device should be installed after the high seasonal flows subside and prior to any call for water to the watermaster.

To measure water that spills or is turned out to the creek below the ditch, a temporary weir may be placed in the creek on the other side of the road. As an alternative to installing a weir at this location, the stop log structure that spills water from the ditch to the creek may be used directly as a weir providing the following steps are taken:

- Install at about a one-eighth inch thick metal strip along the top stop log to provide a more standard thin plate weir blade or crest. The plate should protrude an inch or two above the log and must be level.
- Prevent or minimize leaks between stop logs.
- Measure head above the weir crest and apply the standard suppressed rectangular weir formula for calculating discharge.

3. MEASUREMENT OF WATER AT THE ALDER CREEK-VANOUS DITCH/BIG LOST RIVER CONFLUENCE

For the purpose of determining a futile call on the lower part of Alder Creek between the Darlington and Vanous Ditches, a temporary weir or flume should be installed in the creek just upstream of the Alder Creek-Vanous Ditch confluence. It may also be acceptable for water district staff to current meter the creek at this same location in lieu of installing a weir. IDWR encourages use of a weir or flume at this location so that other interested parties can measure the creek at this same point. Again, the measuring device should be installed after the high seasonal flows subside and prior to any call for water to the watermaster.